

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, December 20, 2005, the following members were present:

Greg Jergeson, Chairman  
Brad Molnar, Vice Chairman  
Doug Mood, Commissioner  
Robert H. Raney, Commissioner  
Thomas J. Schneider, Commissioner

APPEARANCE  
Wayne Budt, Administrator  
Transportation & Centralized Services Division

(480) In the matter of the approval of Commission Minutes:

Commissioner Mood moved to approve the Commission Minutes for the week of December 12, 2005. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE  
Tim Sweeney  
Legal Division

(481) In the matter of the Commission's discussion of Level 3 Communications Petition for Arbitration- Docket No. D2005.12.174:

Commissioner Schneider moved to appoint Tim Sweeney as hearing examiner for procedural matters and the entire Commission as arbitrator. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE  
Kate Whitney, Administrator  
Utility Division

(482) In the matter of the Commission's discussion of the 2005 CLEC forum- Docket No. D2005.7.109:

Commissioner Raney moved to approve the draft CLEC forum report. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Mike Lee  
Utility Division

(483) In the matter of the Commission's discussion of FCC invitation to comment on High-Cost Universal Service Support Service Notice of Proposed Rulemaking (NOPR) [FCC 05-205, CC 96-45, WC 05-337]:

Commissioner Schneider moved to authorize and direct staff to collaborate with Maine and Vermont, and the Montana Consumer Counsel and bring back draft comments to the Commission for final action if and when appropriate. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson  
Legal Division

(484) In the matter of the Commission's discussion of Qwest Universal Service Fund Investigation- Docket No. D2005.6.105:

Commissioner Schneider moved to direct staff to prepare a third and final notice in this proceeding to establish a procedural schedule and hearing date, and that staff examine and revise the data request to obtain only that information necessary and required to establish direction on Qwest's use of Universal Service Fund going forward. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator  
Utility Division

(485) In the matter of the Commission's discussion of Telecommunication Service Rules:

Commissioner Raney moved to direct staff to meet with carriers affected by the draft of revised Telecommunication Service Standard rules as soon as possible and then bring to the Commission a revised draft to be used to start the formal process of adoption of rules. Commissioner Molnar seconded the motion, which passed 4-1. Commissioner Schneider voted no.

APPEARANCE

Martin Jacobson  
Legal Division

(486) In the matter of the Commission's discussion of Montana Dakota Utilities natural gas

conservation programs- Docket No. D2005.10.156:

Commissioner Raney moved that Montana Consumer Counsel's Motion for Reconsideration be denied. Commissioner Schneider seconded the motion, which passed unanimously.

(487) In the matter of the Commission's discussion of Montana Dakota Utilities consolidated annual true-ups of monthly natural gas trackers- Docket No. D2003.4.49, D2004.4.45, and D2004.5.69:

Commissioner Schneider moved to issue the revised Protective Order as requested by Montana Dakota Utilities. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Leroy Beeby  
Utility Division

(488) In the matter of the Commission's discussion of Cut Bank Gas General Rate Case- Docket No. D2004.3.47:

Commissioner Schneider moved to approve the Stipulation Order on an interim basis and provide Notice of Opportunity for Hearing in the Cut Bank area. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan  
Legal Division

(489) In the matter of the Commission's discussion of Utility Solutions, LLC application to implement Initial Rates and Charges for Water Service in its Elk Grove Subdivision, Gallatin County, Montana Service Area- Docket No. D2005.11.163:

Commissioner Raney moved to deny the petition to intervene in D2005.11.163. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson  
Legal Division

(490) In the matter of the Commission's discussion of the annual update to Pipeline Safety Rules- Docket No. L-15.11.5-RUL:

Commissioner Raney moved to designate Commissioner Schneider as hearing officer in the

Pipeline Safety Rules hearing. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator  
Utility Division

(491) In the matter of the Commission's discussion of Montana Dakota Utility's universal service benefits programs:

Commissioner Schneider moved to establish a Montana Dakota Utility USB program and that we seek testimony from Montana Dakota Utility and establish a procedural schedule for completion of the case. Commissioner Molnar seconded the motion. Commissioner Schneider withdrew his motion. Commissioner Molnar withdrew his second.

Commissioner Schneider made a substitute motion to direct staff to initiate a proceeding related to Montana Dakota Utility's USB program. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

David Burchett  
Utility Division

(492) In the matter of the Commission's discussion of NorthWestern Energy Monthly Tracker and Deferred Gas Cost Adjustment-Docket No. D2005.9.133:


Commissioner Schneider moved to allow the 10.26 current gas price to go into effect January 1, 2006, but not to allow the .99 deferred account to go into effect, and that we proceed to hearing by the end of February. The motion died for lack of a second.

There being no further business to come before the Commission the meeting was adjourned.

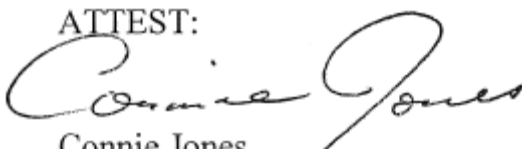
  
GREG JERGESON, Chairman

  
BRAD MOLNAR, Vice Chairman

  
DOUG MOOD, Commissioner

  
ROBERT H. RANEY, Commissioner

  
THOMAS J. SCHNEIDER, Commissioner

ATTEST:  
  
Connie Jones  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, December 21, 2005, the following members were present:

Greg Jergeson, Chairman  
Brad Molnar, Vice Chairman  
Doug Mood, Commissioner  
Robert H. Raney, Commissioner  
Thomas J. Schneider, Commissioner

APPEARANCE

David Burchett, Utility Division  
Kim Moran, Utility Division  
Martin Jacobson, Legal Division

(493) In the matter of the Commission's discussion of NorthWestern Energy Monthly Tracker and Deferred Gas Cost Adjustment-Docket No. D2005.9.133:

Commissioner Molnar moved to hold a prudence review at the earliest opportunity in the month of January. The motion died from lack of a second.

Commissioner Schneider moved to allow the forecasted gas price of 10.26 to go into effect under the filing, that the Public Service Commission does not allow the deferred recovery of .99 to go into effect as per the tariff, and that the Public Service Commission move as fast as possible to a contested case. Commissioner Molnar seconded the motion, which passed 3-2. Commissioners Jergeson and Mood voted no.

There being no further business to come before the Commission the meeting was adjourned.

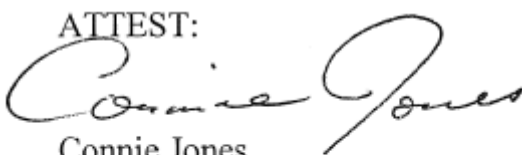
  
GREG JERGESON, Chairman

  
BRAD MOLNAR, Vice Chairman

  
DOUG MOOD, Commissioner

  
ROBERT H. RANEY, Commissioner

  
THOMAS J. SCHNEIDER, Commissioner

ATTEST:  
  
Connie Jones  
Commission Secretary

(SEAL)